

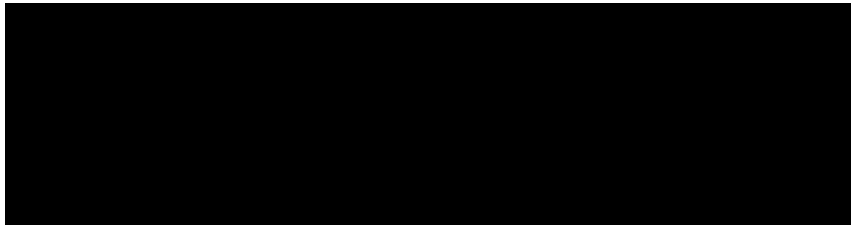
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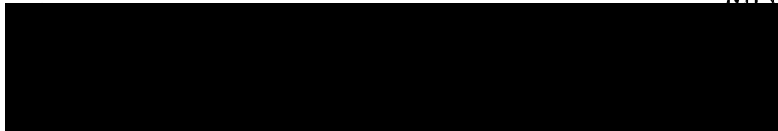


U.S. Citizenship
and Immigration
Services



FILE: SRC 02 260 50256 Office: TEXAS SERVICE CENTER Date: MAY 04 2004

IN RE: Petitioner:
Beneficiary:



PETITION: Petition for a Nonimmigrant Worker Pursuant to Section 101(a)(15)(H)(i)(b) of the
Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(H)(i)(b)

ON BEHALF OF PETITIONER:

SELF-REPRESENTED

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to
the office that originally decided your case. Any further inquiry must be made to that office.

Mari Johnson

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The service center director denied the nonimmigrant visa petition and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The petitioner is a firm engaged in the restoration and remodeling business. It endeavors to classify the beneficiary as a nonimmigrant worker in a specialty occupation pursuant to section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(H)(i)(b), so that it may employ him as a home entertainment system consultant. The director denied the petition on the basis that the proffered position did not meet the definition of a specialty occupation.

Acting on his own behalf without representation, the beneficiary filed the only matters submitted on appeal, which are a Form I-290B (Notice of Appeal), annotated with reasons for the appeal, and a document entitled "Brief in Support of Decision Dated October 1st, 2002."

Citizenship and Immigration Services regulations specifically state that a beneficiary of a visa petition is not a recognized party in a proceeding. 8 C.F.R. § 103.2(a)(3). As the beneficiary is not a recognized party, he is not authorized to file an appeal on his behalf. 8 C.F.R. § 103.3(a)(1)(iii)(B). Accordingly, the AAO will reject the appeal pursuant to 8 C.F.R. § 103.3(a)(2)(v)(A)(1).

ORDER: The appeal is rejected.